



CITY OF BRUNSWICK

1 W. Potomac Street • Brunswick, Maryland 21716 • (301) 834-7500

ETHICS COMMISSION STANDARD OPERATING PROCEDURES ADVISORY OPINION Adopted November 16, 2005

Legal Authority:

Article 3. Code of Ethics of the Code of Ordinances

Definition:

An Advisory Opinion is a formal, written opinion, issued by the Ethics Commission, stating whether an activity, conduct, or action would violate the Ethics Ordinance.

Request for Advisory Opinion:

1. If a City employee or elected official questions whether an activity, conduct, or action violates the Ethics Law, that individual should contact the City Staff Liaison to the Ethics Commission to receive a Request for Advisory Opinion Form. See Exhibit A. Once the requestor has completed the Request for Advisory Opinion Form, it should be returned to the City Staff Liaison in a sealed envelope marked "Request for Advisory Opinion," either via hand-delivery or first-class mail to City of Brunswick Ethics Commission, City Hall, 1 West Potomac Street, Brunswick, Maryland 21716. The City Staff Liaison shall forward all received requests directly to the Ethics Commission.
2. Waiver may be requested as part of the request, if applicable.

Process:

1. After receipt of the Request, the Ethics Commission shall make an initial determination as to whether the information provided provides a sufficient basis to issue an Advisory Opinion. The Ethics Commission may instruct the City

- Attorney to investigate the facts to aid the Commission in its evaluation of the request.
2. If the Ethics Commission requires additional information in order to provide an Advisory Opinion, the Ethics Commission may compel the requestor to attend a hearing to further develop the facts and circumstances.
 3. After deliberation, the Commission will provide an interpretation of the applicability of the provisions of the Ethics Ordinance to the requestor based on the facts provided to it. The Commission's interpretation shall be rendered as a formal, written Advisory Opinion, and shall be sent to the requestor.
 4. If appropriate and/or requested, a Waiver may be part of the Advisory Opinion.
 5. All Advisory Opinions shall be written without disclosing the names of any persons involved in order to maintain confidentiality.
 6. Once the Advisory Opinion has been released to the requestor, it is available for public inspection and copying.

Revisions: 01/18/06